

**Budapest Treaty Deposits**  
**American Type Culture Collection**

10801 University Blvd., Manassas, VA 20110-2209 Tel. (703) 365-2700 Fax (703) 365-2745  
 E-mail address: applied-sci@atcc.org

**TO DEPOSIT OR TO CONVERT A DEPOSIT TO MEET THE REQUIREMENTS OF BUDAPEST TREATY ON THE  
 INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE  
 PURPOSES OF PATENT PROCEDURE**

**ALL QUESTIONS MUST BE COMPLETED. PLEASE USE ONE FORM PER EACH STRAIN DEPOSITED.**

1. Name of deposit. (If microorganism, complete scientific name including genus and species and source of material; If virus, name and whether or not plant or animal and source including geographic location; If cell line, provide tissue & species, geographical source of isolation and any known hazards associated (e.g. HIV, EBV, etc.); If genetic material, name of organism from which vector, clone or library is derived, source of the DNA insert identified by species (e.g. human, mouse) or scientific name and provide name of gene and identity of the host organism; If consortia or mixed culture, each component of the mixture must be identified; for seeds, embryos, insect eggs, etc., common name, scientific name of the source of the deposit, and geographical source.)

Fusarium sp. UC 16069 obtained from Mycosearch.

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2. Strain designation (i.e., number, symbols, etc) LN 15897

\*The strain designation must correspond with the vial labels.

3. Is this an original deposit under the Budapest Treaty? Yes

4. Is this a request for a conversion of a deposit already at the ATCC to meet the requirements of the Budapest Treaty? If so, please indicate ATCC designation No

5. Is this deposit a mixture of microorganisms or cells? No

6. Provide details necessary to cultivate, test for viability and store deposit. If mixture, provide description of components and a method to check presence. (If plasmid, provide name of host & antibiotic resistance). The culture can be revived and grown On potato dextrose agar at 24oC and stored in 10% glycerol at -80oC.

7. Provide sufficient description so that ATCC may confirm deposit properties (e.g., Gram negative rod). The fungus belongs in the Anamorphic Hypocreaceae

a. If deposit is a cell culture, is it being cultured in the presence of antibiotics? If so, please list the antibiotics.

b. If deposit is hybridoma, what is the isotype of antibody produced?

8. Is this strain hazardous to humans? No, animals? No, plants? Yes If yes, what is the recommended biosafety level for working with this strain. B1 (Ref. Guidelines for Research Involving Recombinant DNA Molecules, NIH Guidelines, January 1996) ([www.nih.gov/od/ord/loc.htm](http://www.nih.gov/od/ord/loc.htm))

9. Availability: Prior to issuance of a U.S. Patent, ATCC will only make a culture available as instructed by the depositor or relevant patent office. Samples must be provided to a specific investigator if a pertinent patent office under the Budapest Treaty instructs ATCC to do so. The following questions must be answered.

a. As of date of deposit or conversion to meet the requirements of the Budapest Treaty, do you wish the deposit made available to anyone who requests a culture? If yes, there are no restrictions on distribution. Answering no will ensure the deposit is not available until the patent has issued. Yes        No X

b. As of date of deposit or conversion to meet the requirements of the Budapest Treaty, do you wish the deposit made available to requesters which satisfy Patent Offices in countries not signatory to the Budapest Treaty? If "yes," please state which countries: Yes        No X

Please note that if you are converting your deposit to meet the requirements of the Budapest Treaty, and your deposit has already been released for distribution due to the issuance of a U.S. Patent, you cannot restrict it from further distribution. After a U.S. Patent Issues, and we are so notified, ATCC makes the culture available to anyone who requests it, as allowed under U.S. Patent and Trademark Office Rules and Regulations (37 CFR 1.808 (a)(2)).

10. ATCC will notify you of your ATCC number after confirmation of viability testing is complete.

Name of individual to notify: Dr. L. H. Huang

Fax No. (860) 441-8551 Telephone No. (860) 441-3569 E-mail: liang.h.huang@groton.pfizer.com

11. Payment by check, or credit card (MasterCard, VISA or American Express), must accompany the deposit unless prior arrangements for billing have been made and approved. ATCC accepts Purchase Orders in the correct amount.

Purchase Order No. \_\_\_\_\_ Check No. \_\_\_\_\_  
Credit Card number (please indicate MasterCard, VISA, or American Express) \_\_\_\_\_

Exp. Date: \_\_\_\_\_ Name shown on card: \_\_\_\_\_  
(Please print or type)

Signature: \_\_\_\_\_

**PAYMENT: ATCC MUST HAVE A BILLING ADDRESS, CONTACT PERSON, PHONE AND FAX NUMBER FOR ALL DEPOSITS:**

Kathleen A. Ranney, Global Research & Development, Groton Laboratories

Pfizer Inc, Eastern Point Road

Groton, Connecticut 06340

PHONE: (860) 715-1139 FAX: (860) 441-5221

12. Name, address, telephone and facsimile number of your attorney of record.

(Ref: Docket or Case No. PC27840 )

13. **MUST BE COMPLETED.** Deposited on behalf of: (Verify with your management who owns the deposit. The owner is usually a company or institute, and normally is not an individual.)  
Pfizer Inc, 235 East 42<sup>nd</sup> Street, New York, NY 10017-5755

*I understand and agree that the deposit may not be withdrawn by me for a period specified in Rule 9.1 of the Budapest Treaty (at least 30 years after the date of deposit or 5 years after the date of the most recent request for the deposit, whichever is longer), and that if a culture should die or be destroyed during the life of the patent, or the period of time so specified, it is my responsibility to replace it with a living culture of the same organism or cell. In the cases of viruses, cell cultures, plasmids, embryos, and seeds, it is my responsibility to supply a sufficient quantity for distribution for the period of time specified above.*

Dr. L. H. Huang

Typed Name

Signature

Date

Address: Global Research & Development, Groton Laboratories, Pfizer Inc, Eastern Point Road, Groton, CT 06340

Phone: (860) 441-3569 Fax: (860) 441-8551 E-mail: liang.h.huang@groton.pfizer.com

**THIS FORM MUST BE COMPLETED IN ENGLISH**

ADDRESS SHIPMENTS AND FORM TO THE ATTENTION OF:

Patent Depository  
American Type Culture Collection  
10801 University Blvd.  
Manassas, VA 20110-2209 U.S.A.

**Storage:** Cultures are stored for 30 years from date of deposit or five years after the last request for a sample, whichever is longer, as required under the rules of patent offices in most countries.

**Fees:** All fees subject to change. For the latest fees, check our website at [www.atcc.org](http://www.atcc.org) or request a fee sheet by e-mail at [applied-sci@atcc.org](mailto:applied-sci@atcc.org) or by phone on 703-365-2700 Ext. 320.

**ATCC USE ONLY: ATCC DESIGNATION** \_\_\_\_\_ REC'D \_\_\_\_\_ V.T. RESULT \_\_\_\_\_

Name of Deposit \_\_\_\_\_ Strain Designation \_\_\_\_\_

# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

**INTERNATIONAL FORM**

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2**

To: (Name and Address of Depositor or Attorney)

Pfizer, Inc.  
Attn: Dr. L. H. Huang  
Global Research & Development  
Groton Laboratories  
Groton, CT 06340

Deposited on Behalf of: Pfizer, Inc.

Identification Reference by Depositor:	Patent Deposit Designation
Fusarium sp.: LN 15897 Ref: Docket or Case No.: PC27840	PTA-5697

The deposit was accompanied by:  a scientific description  a proposed taxonomic description indicated above.

The deposit was received December 10, 2003 by this International Depository Authority and has been accepted.

AT YOUR REQUEST:  We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

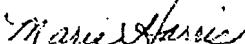
If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested January 16, 2004. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

  
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Marie Harris, Patent Specialist, ATCC Patent Depository

Date: January 28, 2004